

**CITY OF ROSLYN  
WASHINGTON**

ORDINANCE NO. 1104

---

**AN ORDINANCE OF THE CITY OF ROSLYN,  
WASHINGTON, AMENDING RMC 2.70.030 THROUGH  
2.70.050 RELATING TO EMPLOYEE PERSONNEL  
POLICIES; PROVIDING FOR SEVERABILITY; AND  
ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the City has adopted personnel policies to guide conditions for all employees of the City of Roslyn; and

**WHEREAS**, the Washington State legislature recently passed SB 5173 entitling local government employees two unpaid holidays per calendar year “for reasons of faith or conscience or for an organized activity conducted under the auspices of a religious denomination, church or religious organization;” and

**WHEREAS**, the City Council desires to amend the personnel policies to provide clarity on overtime compensation, to simplify work week schedules, and to comply with the new state law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1. RMC Section 2.70.030 (Work Schedule), Amended.** Section 2.70.030 of the Roslyn Municipal Code is hereby amended to read as follows (with legislative revision marks):

**2.70.030 Work schedule.**

The work week shall begin on ~~Saturday~~Monday at 8:00 a.m. The work week shall be determined for each position by the mayor on recommendation from the personnel committee.

A. Lunch and Breaks. Each employee shall receive a lunch period approximately one-half way through the work day. The lunch period shall not be compensable time. Each employee shall receive a relief period (i.e., coffee break) not to exceed 15 minutes approximately one-half way through the morning shift, and approximately one-half way through the afternoon shift on each work day. The relief period shall be compensable time.

B. Nonstandard “Weekend.” Two days a week shall be determined to be employee “Saturday and Sunday” for those employees who

may work a work week other than Monday through Friday. [Ord. 623 § 3, 1986.]

**Section 2. RMC Section 2.70.040 (Overtime and compensatory time), Amended.**  
Section 2.70.040 of the Roslyn Municipal Code is hereby amended to read as follows (with legislative revision marks):

**2.70.040 Overtime and compensatory time.**

A. Overtime. If any employee is compensated for 40 hours of actual time worked in a week, additional work that week will be only at the discretion of the mayor, paid at a maximum rate of time and one-half. Unauthorized overtime will not be paid.

Any work done on a holiday is considered holiday overtime at two and one-half times the regular rate of pay and must be approved by the mayor. This shall be the maximum rate of compensation for work done on a holiday. Employees shall not be entitled to receive regular pay in addition to holiday overtime compensation.

Any call for service by an employee, except police department employees, after regular working hours, on weekends, or holidays shall be compensated at a one-hour minimum.

B. Compensatory Time.

1. Nonexempt employees entitled to overtime pay may elect to receive compensatory time off instead of cash payment. This is approved on a case-by-case basis by the employee's department head. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. Maximum accruals of compensatory time shall be limited to 40 hours for regular employees, 72 hours for fire personnel and 80 hours for uniformed police personnel. After maximum accrual, overtime compensation shall be paid.

2. Employees may use compensatory time within a reasonable time period after making a request to their department head, unless doing so would unduly disrupt city operations. Compensatory time should be used for short-term absences from work during times mutually agreed to by the employee and his/her department head. Accumulation of compensatory time to be used as a substitute for extended vacation time off is not normally permitted.

3. If an employee is unable to use accrued compensatory time within a reasonable period, usually 90 days, the employee will be paid his/her original overtime wage. [Ord. 788 § 1, 1995; Ord. 645 § 1, 1989; Ord. 623 § 4, 1986.]

**Section 3. RMC Section 2.70.050 (Holiday schedule and conditions of pay), Amended.** Section 2.70.050 of the Roslyn Municipal Code is hereby amended to read as follows (with legislative revision marks):

**2.70.050 Holiday schedule and conditions of pay.**

A. The following days shall be holidays:

1. New Year's Day;
2. Martin Luther King, Jr. Day;
3. President's Day;
4. Memorial Day;
5. Independence Day;
6. Labor Day;
7. Veterans' Day;
8. Thanksgiving Day;
9. Day after Thanksgiving Day;
10. Christmas Day;
11. Two floating holidays (employee's choice; must be asked for in advance).

B. If holiday falls on a normal shift day for the majority of employees but not for others, then the others will observe the holiday during the nearest work shift to that holiday; provided, however, that employees of the police department shall not be subject to these provisions but shall be treated as follows: holidays shall be credited to the police department employee as they occur, and the employee may take the credited holidays off at a time of his/her choice, with advance notice and approval of the chief of police, and if said employee does not take the credited time off by December 31st of the calendar year in which the credited time is

earned, the employee shall receive regular pay (but not regular holiday pay) in lieu of time off.

C. Except as provided in subsection (G) below, full-time ~~Full-time~~ employees will be paid straight time for holidays for the number of hours that the employee normally works on holidays. Regular part-time employees will receive straight time holiday pay based on the length of his/her part-time day, i.e., if the employee works a regular half-day, then he/she gets half-day holiday pay.

D. If any police department employee must work on a holiday, the rate of pay shall be one and one-half their regular rate of pay, unless the work on a holiday is overtime as described in RMC 2.70.040(A), in which case the rate of pay shall be as described in RMC 2.70.040(B).

E. Except as provided in subsection (G) below, to ~~To~~ qualify for pay on a holiday, employees must work the working day before and the working day after the holiday or be otherwise eligible for pay the day before or the day after a holiday. Such other circumstances include:

1. Illness.
2. Attendance at a funeral for a member of the immediate family/household.
3. On authorized vacation.
4. Employees on extended leave of absence without pay do not receive holiday pay.

F. Temporary employees are not eligible for holiday pay.

G. In addition to the holidays listed in subsection (A) above, employees are entitled to two unpaid holidays per calendar year for reasons of faith or conscience or for an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

The employee may select the days on which he or she desires to take the unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the

employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.

If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's supervisor as soon as reasonably practical prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's supervisor. The employee's supervisor shall evaluate requests by considering whether the absence would unduly disrupt operations, impose an undue hardship, or if the employee is necessary to maintain public safety.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

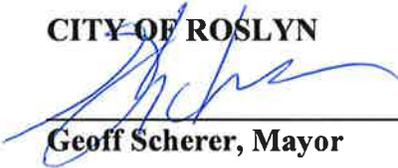
[Ord. 911 § 1, 2001; Ord. 748, 1993; Ord. 623 § 5, 1986.]

**Section 4. Severability.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 5. Effective Date.** This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF  
ON THE 10th DAY OF June, 2014.**

CITY OF ROSLYN

  
\_\_\_\_\_  
Geoff Scherer, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Brandi Taklo, City Clerk

Approved as to form:

\_\_\_\_\_  
Ann Marie Soto, City Attorney

Filed with the City Clerk: June 2nd, 2014  
Passed by the City Council: June 10th, 2014  
Date of Publication: June 19th, 2014  
Effective Date: June 24, 2014